

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

JESUS MANUEL DIAZ,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION NO. 1:14-CV-200-C
)	
FEDERAL BUREAU OF PRISONS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the Court is the civil complaint of inmate plaintiff Jesus Manuel Diaz. After conducting a hearing held under the authority of *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985), the United States Magistrate Judge entered a Report and Recommendation on October 9, 2015, and Plaintiff filed his written objections on October 19, 2015.

The undersigned Senior United States District Judge has made an independent examination of the record in this case and has examined the findings, conclusions, and recommendations of the Magistrate Judge as well as the specific objections of the Plaintiff. The Court finds that Plaintiff's objections should be overruled in all things, and the Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge. The Court concludes that, for the reasons stated by the Magistrate Judge, all of Plaintiff's claims should be dismissed as frivolous pursuant to 28 U.S.C. §§ 1915-1915A.

It is therefore **ORDERED** that the report and recommendation of the Magistrate Judge is **ADOPTED**.

It is further **ORDERED** that all of Plaintiff's claims are **DISMISSED with prejudice** as frivolous pursuant to 28 U.S.C. §§ 1915-1915A.

Judgment shall be entered accordingly.

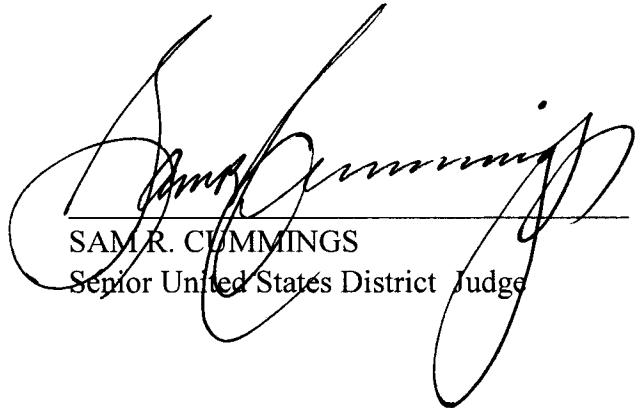
Dismissal of this action does not release Plaintiff or the institution where he is incarcerated from the obligation to pay any filing fee previously imposed. *See Williams v. Roberts*, 116 F.3d 1126, 1128 (5th Cir. 1997).

A copy of this order shall be sent to all parties appearing *pro se* by first class mail and to any attorney of record by first class mail or electronic notification.

Plaintiff is advised that if he appeals this Order, he will be required to pay the total appeal fees of \$505.00 pursuant to the PLRA, and he must submit an application to proceed *in forma pauperis* and a 6-month Certificate of Inmate Trust Account at the same time he files his notice of appeal.

SO ORDERED.

Signed March 11, 2016.



SAM R. CUMMINGS
Senior United States District Judge